

1
2 IN RE THE PUBLIC HEARING OF)
3 THE CALFED BAY-DELTA PROGRAM)
4 _____)

ORIGINAL

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9 TRANSCRIPT OF PROCEEDINGS

10 Stockton Fairgrounds

11 1250 South Wilson Way, #1

12 Stockton, California 95205


13
14 Wednesday, August 18, 1999 - 7:30 p.m.

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18 REPORTED BY: KIMBERLY M. PARADISO, CSR NO. 11929

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1 COUNCIL MEMBERS:

2 JOSEPH BODOVITZ, Chairman, California

3 Environmental Trust

4 PATRICK WRIGHT, Resources Agency

5 WAYNE WHITE, U.S. Fish and Wildlife Services

6 JERRY JOHNS, Water Resources Control Board

7 WALTER YEP, Corps of Engineers

8 ALF BRANT, Department of the Interior

9 RYAN BRODDICK, Deputy Director of the

10 Department of Fish and Game

11 LESTER SNOW, Executive Director

12 RICK BREITENBACH, Assistant Director of the

13 Environmental Compliance

14 Branch

15 ---oOo---

1 (All parties present, the following proceedings were had
2 at 7:30 p.m.:)

3
4 CHAIRMAN BODOVITZ: I'd like to first
5 introduce the member that we have up here. Patrick Wright
6 from the Resources Agency, Wayne White from the U.S. Fish
7 and Wildlife Services, Jerry Johns from the Water
8 Rights -- no, I've got -- Water Resources Control Board,
9 sorry. Walter Yep of the Corps of Engineers, Alf Brant of
10 the Department of the Interior, Ryan Broddick, Deputy
11 Director of the Department of Fish and Game, and of course
12 you've already met Lester Snow, the executive director of
13 the CALFED Program. At the other end of the table is Rick
14 Breitenbach, the key staff person on the issues we're --
15 we'll be dealing with tonight.

16 Now, this is a formal public hearing about the
17 draft environmental documents that CALFED has issued. And
18 as part of that kind of a hearing, the entire hearing will
19 be transcribed. We have a court reporter over here who
20 will take down everything that is being said.

21 As I've said, there are 15 of these hearings
22 that will be held in all parts of the state. They will
23 all be transcribed. Every comment that is made either
24 orally or in writing will be responded to. If a hundred
25 people or a thousand people make the same comment,

1 obviously it will get one very thorough response. But
2 everything that everybody says will be responded to.

3 You may submit written comments on this very
4 complex subject of any length you want. They will all be
5 read and attention will be paid to all of them. But
6 because in the hearings around the state there are so many
7 people who wish to speak, it's become necessary to limit
8 the oral comments to three minutes. And to help you
9 tailor your remarks to three minutes, we have a little
10 stoplight system here. The green light means go, the
11 yellow light means you have one minute left, the red light
12 means please conclude that sentence or at least that
13 paragraph quickly in fairness to the people who come
14 after.

15 Now, in the interest of helping the hearing
16 move along without a lot of people shuffling, there are
17 many of us here tonight, I will call the first speaker and
18 the second speaker and the third speaker. And we'll try
19 to save these chairs right down here in the front row so
20 when you're called, if you wouldn't mind taking a chair
21 close to the podium we won't spend a lot of time tonight
22 just waiting for people to get out of the rows and come
23 down here. And unless there are any questions about our
24 procedures, we'll begin.

25 Our first speaker, the first person that

1 filled out a card is Joe Horn of Antioch. Before you
2 start, Mr. Horn, having said -- having said I would call
3 the next two speakers: Compy Compene (phonetic) if
4 I'm --

5 MR. COMPENESE: I've had my say.

6 CHAIRMAN BODOVITZ: All right, sir. In
7 that case Peter Ohm of Roberts Island and followed by Bob
8 Cabral of Stockton. So, Mr. Horn, you're first.

9 MR. HORN: Yeah, my name is Joseph Horn
10 and I'm with Citizens for Safe Drinking Water and the
11 California Striped Bass.

12 To whom it may concern, from Wetlands to
13 San Francisco. Have you heard the latest? While we're
14 waiting to see what CALFED is up to the in the river, the
15 State Water Resources Control Board is getting ready to
16 complete the San Luis drain.

17 How can -- how will our children and our
18 grandchildren be after they have drank Wetland's
19 agricultural drain water for a few years? Will they be
20 like the ducks down in Kesterson's Wildlife Refuge?
21 Wetland's Water District farmers who in the '80s sent
22 drain water that poisoned the Kesterson Wildlife
23 Reservoir -- Refuge. A meeting on August the 4th, 1999,
24 to hear reports on agricultural drain in the San Joaquin
25 Valley, but due to an oversight, that notification was not

1 mailed. Ha-ha and thank you very much.

2 This seems to be the way things are done in
3 Sacramento nowadays. Write to Governor Gray Davis,
4 Senators Richard Rainey, assemblymembers Tom Torlakson and
5 Lynne Leach and tell them you're damn tired of being the
6 dumping ground for everyone's waste and a siphon for our
7 water.

8 Are you drinking river water? Do you know
9 that a hundred thousand acres of farmland from the Pinocha
10 (phonetic) Water District and four other districts dump
11 their selenium-laced agricultural poisoned -- poison into
12 the San Joaquin River and it comes to Antioch? Thank you
13 very kindly.

14 CHAIRMAN BODOVITZ: Thank you, sir.
15 Peter Ohm followed by Bob Cabral followed by Ed Simas.

16 MR. OHM: I'm Peter G. Ohm, 3400 West
17 Howard Road, Roberts Island. I was born and lived my
18 whole life on Roberts Island. My grandfather came back in
19 19 -- 1890 so we have -- have been there about 110
20 years. I can remember when the San Joaquin River was a
21 clean running river. You -- you could drink from it.
22 Today it's a dirty old drain ditch for all the cities to
23 dump their sewage and the tide takes it back and forth.

24 Stockton uses aluminum sulfate to try to keep
25 the solids down in the discharge which makes the water

1 yellow like urine. I can't see how fish can go through a
2 barrier like this on their way upstream. Fish and Game
3 doesn't seem to care about the San Joaquin River. There
4 is not enough water left in California to keep sending
5 more south. Metropolitan water in San Diego should be
6 desalting the ocean as a dry cycle will cut the amount of
7 water that can be shipped through the Delta.

8 The Delta is an old inland ocean that is
9 underlayed with salt water. When you stop the fresh water
10 in the Delta, the salt will take over and 800,000 acres is
11 in real trouble. This whole thing is a way to ration
12 water in the Delta and all of agriculture.

13 Most of the streams that run into the
14 San Joaquin River have been diverted already by cities in
15 the Bay Area, and for CALFED to try to ration the
16 remaining amount is nothing more than stealing
17 agricultural water. You seem more interested in robbing
18 water for fish and wildlife than a stable agriculture of
19 an honest farmer who is making a living from the land.

20 We are in the fifth -- we are the fifth
21 largest producer in the world. How are you going to
22 maintain this position? We are going to get the food and
23 fiber in years to come if you take agriculture out of
24 production. You can't import the food from other
25 countries; they don't have enough, and you wouldn't want

1 to eat it.

2 Teddy Roosevelt gave all the eastern slope of
3 the Sierras to Metropolitan, a private water company all
4 the way to Mono Lake. There is no more water to give away
5 left in California. The only answer is for the south of
6 the Tehachappis to desalt the ocean. They had these
7 chance -- had this chance but turned it down when the
8 federal government --

9 CHAIRMAN BODOVITZ: Mr. Ohm, you're time
10 is up. I'm sorry. If you --

11 MR. OHM: -- to pay 75 percent out of
12 Orange County coast. Let's all protect what we have left
13 of California and not gore somebody else's ox.

14 CHAIRMAN BODOVITZ: Thank you, sir. Bob
15 Cabral, Ed Simas and Jack Siegluck.

16 MR. CABRAL: Good evening. My name is
17 Bob Cabral. I am chairman of the San Joaquin County Board
18 of Supervisors. I have a longer written statement which
19 will be left with you this evening.

20 In San Joaquin County we are in agreement as
21 to our concerns with the present EIR/EIS and supporting
22 documents. I will endeavor to summarize our views as I'm
23 sure that other agencies will be more specific with their
24 details.

25 We are concerned that the watershed protection

1 and area of origin statues are not even mentioned as a
2 part of the regulatory framework. Sadly the promises made
3 to the areas of origin at the time of the construction of
4 the Central Valley Project and the State Water Project
5 have not been kept.

6 We are, however, encouraged by the inclusion
7 of surface water and groundwater storage among the
8 alternatives and are particularly -- particularly the
9 various projects which might utilize groundwater storage
10 specifically for the eastern San Joaquin County. That
11 alone does not recognize the applicable concepts of area
12 of origin and watershed protection. The inclusion of
13 groundwater storage projects including those benefitting
14 areas of origin and watersheds entitled to protection
15 could provide an indirect recognition of watershed in the
16 area of origin rights if funds were made available for
17 those projects.

18 While we are pleased with the frequent mention
19 of the San Joaquin River in the documents, we are
20 concerned that no overall strategy to deal with the river
21 is put forth. We are very disappointed to read at page 42
22 report -- of the revised CALFED report will not pursue or
23 even consider a San Joaquin Valley drain because it is
24 beyond the scope of the CALFED Program. While I would
25 like to make it clear that we did not contemplate drains

1 to the Delta, to the San Francisco Bay, nor the Monterey
2 Bay, but rather a drain terminating offshore in the ocean
3 currents.

4 The San Joaquin River as it exists today has a
5 major negative impact on the Delta and the water supply
6 for much of our state. We believe the CALFED process
7 should at a minimum adopt and pursue some of the following
8 principles:

9 First, a comprehensive plan to resolve
10 San Joaquin River water qualities problems.

11 The plan must be based on the premise that all
12 adverse impacts caused by the State Water Project and
13 Central Valley Project shall be fully mitigated by these
14 projects.

15 And the plan must recognize and adhere to
16 California's area of origin and watershed protection
17 laws.

18 Funding and completion of a total maximum
19 daily load process for dissolved oxygen in the
20 San Joaquin River is also essential. In addition, the
21 dissolved oxygen problem must be addressed by increased
22 flows and corrections in the direction of flow.

23 With the help of CALFED, the USBR must secure
24 water to meet the 1995 Water Quality Plan Objectives at
25 Vernalis from sources other than New Melones.

1 As discussed above, the drain or other means
2 of disposing the salinity outside of the San Joaquin River
3 should be explored and implemented.

4 The Water Quality Objectives for agricultural
5 beneficial use at Vernalis must be met.

6 New Melones operations shall comply with the
7 1987 Fish and Game Agreement without negatively affecting
8 the Vernalis salinity objective entitlements of the
9 New Melones contractors.

10 CHAIRMAN BODOVITZ: Supervisor, I hate
11 to tell you the time limit's up.

12 MR. CABRAL: Thank you for allowing me
13 and I'll -- the written -- the balance of my testimony
14 will be submitted to you.

15 CHAIRMAN BODOVITZ: Thank you very much.
16 Ed Simas, Jack Sieglock --

17 MR. SIMAS: Good evening.

18 CHAIRMAN BODOVITZ: -- followed by John
19 Herrick.

20 MR. SIMAS: Sorry. Good evening. My
21 name is Ed Simas. I'm vice-chairman of the Board of
22 Supervisors. Some of the remarks I'm going to make are
23 piggy -- going the piggyback off our chairman, Bob
24 Cabral.

25 I represent the Third Supervisorial District,

1 which includes a major portion of Delta and San Joaquin
2 County. My remarks tonight will be confined to the ag
3 land in the Delta and all those who farm, work, live, and
4 visit San Joaquin County and, of course, the millions of
5 people that eat our ag products around the world.

6 According to the county's agriculture
7 commissioner's annual report, the estimated gross
8 valuation of agricultural products in 1998 in San Joaquin
9 County was just over \$3 billion. This ranked San Joaquin
10 County as the seventh largest county in the state in
11 agricultural value and the eighth in the nation. The
12 county is proud to be one of the leaders in the state and
13 the nation in agriculture protection and revenue.

14 In San Joaquin County more than 30 percent of
15 the jobs rely on agriculture and its related industries.
16 CALFED anticipates significant conversion of Delta lands
17 for non-agricultural use. The document allows -- excuse
18 me, acknowledges what is called irreversible and
19 irretrievable conversions of hundreds of thousands of
20 acres of prime farmland within the Delta. The economic
21 impacts to individuals involved and to the San Joaquin
22 County economy must be fully evaluated and analyzed.

23 CALFED's plan to convert agricultural lands to
24 non-agricultural uses will have substantial economic
25 impacts on San Joaquin County and has not been addressed

1 in the EIR. Furthermore, CALFED's plan may impact local
2 land uses. These impacts must also be analyzed and
3 evaluated which also may affect private property issues.

4 Agriculture is a significant aspect of
5 San Joaquin County's economy. Agriculture pumps -- and
6 that's kind of a pun on words -- but pumps approximately
7 \$6 billion into the local economy. Many jobs are
8 dependent on our county's strong agricultural base. The
9 agricultural work force, farm suppliers, processors,
10 truckers, and food suppliers all depend directly or
11 indirectly on the county's production of agriculture.

12 A reduction in San Joaquin County's
13 agriculture will mean fewer jobs. Farms and ranches
14 within the Delta region provide important environmental
15 open space and habitat benefits. Delta farmers already
16 participate in many voluntary habitat enhancement
17 programs, yet the heart of CALFED's program promotes
18 permanently retiring hundreds of thousands of acres of
19 reduction farmland which could decimate the Delta farm
20 communities.

21 On a statewide basis, CALFED agencies have
22 already spent hundreds of millions of dollars in purchases
23 of agricultural land. The new CALFED Plan calls for
24 conversions of hundreds of thousands of more acres. That
25 doesn't count farmland that may be taken out of production

1 in pursuit of other federal, state, or local policies.
2 For the sake of San Joaquin County's work force, economy,
3 and cities, the Delta CALFED must stop these losses within
4 San Joaquin County. Thank you.

5 CHAIRMAN BODOVITZ: Thank you,
6 Supervisor. Three minutes exactly. Thank you, sir. Jack
7 Sieglock, then John Herrick, then Alex Hildebrand.

8 MR. SIEGLOCK: Good evening. My name's
9 Jack Sieglock, and I support the comments of both our
10 chairman, Chairman Cabral, and Supervisor Simas so I'll
11 just try to augment some of what they've already talked
12 about.

13 Number one, with regard to the economy and the
14 analysis in the report, I don't think that it's gone far
15 enough to say that we'll look at the economic impacts on a
16 piecemeal basis. I think that it needs to go much further
17 than that. When you're talking about a few hundred
18 thousand acres in the report and you're actually talking
19 about converting over a hundred thousand acres from ag
20 land to wildlife, you're talking about 10 percent of the
21 County of San Joaquin. That's a significant amount of
22 land.

23 And so I think much more attention needs to be
24 given to the economic impact on this region in terms of
25 everything listed by Mr. Simas. So that's one area where

1 I think the document didn't spend enough time and needs to
2 go into a lot more detail.

3 Number two, I have a concern about the
4 diversion structure from two perspectives: One, it
5 appears to be first leg in building an isolated facility.
6 And so I suppose if you're going to structure something,
7 it needs to be made sure it can't be structured so it can
8 become part of that isolated facility.

9 Number two is I didn't see any mention with
10 regard to a barrier. There's a Delta Cross Channel right
11 now. It has a barrier to control flooding, so I didn't
12 see any mention of that. Maybe it's in there. It's a
13 huge document, but it didn't come across my eyes. So
14 that -- that's another concern I have.

15 There are several other things I want to make
16 sure that you know that as a board we're supportive of the
17 third barrier on the Grantline Canal. That's something
18 we're very unified about. As a matter of fact, one of the
19 reasons I wanted to speak was simply to make sure that you
20 knew we had a unified Board of Supervisors with regard to
21 protecting the agricultural and water interests in
22 San Joaquin County. So I think I'll keep my comments to
23 that, and I'm here to listen.

24 Also, one other thing, we think you ought to
25 build a front dam and use water from that to enhance the

1 South Delta and clean up the water using -- using that
2 facility, that you do need to build more off-stream
3 facilities including the Auburn Dam, and we're also very
4 supportive of that.

5 So I thank you for your time and I hope you'll
6 look at some of those things and make some changes from
7 your draft document to your final document. Thank you.

8 CHAIRMAN BODOVITZ: Thank you very much.
9 John Herrick, Alex Hildebrand, Tom Zuckerman.

10 MR. HERRICK: Thank you. My name is John
11 Herrick. I'm the attorney for the South Delta Water
12 Agency. My comments are offered in conjunction with
13 Mr. Alex Hildebrand's on behalf of that agency. We will
14 certainly submit more extensive comments given the volume
15 of materials in the CALFED documents.

16 We would like to endorse Assemblyman Machado's
17 comments and we agree that before CALFED moves forward on
18 any project it should make sure that there's a three-title
19 barrier program operated on an as-needed basis, a bundle
20 of actions to restore the San Joaquin River, and a program
21 to address the dissolved oxygen problem near Stockton.

22 We also join in the comments of the county,
23 the City of Stockton, Stockton East, and the Central Delta
24 Water Agency. We believe we put forward a united front
25 with regard to CALFED. CALFED's fundamental problem is

1 that it seeks to improve water quality and quantity for
2 all beneficial uses while ignoring the priorities of
3 California water law. It also excuses those responsible
4 for degrading the environment and the water quality.

5 The result is a balance of competing demands
6 which first makes innocent superior right holders share
7 the burden with the guilty junior right holders. The
8 first step should be to make the projects mitigate their
9 adverse impacts on the Delta. The current state of
10 affairs is that the superior right holders in the Delta do
11 not get the amount or quality of water to which they are
12 entitled. Yet CALFED seeks to increase those activities
13 that currently cause harm to the Delta.

14 The clear emphasis of CALFED is on improving
15 export supply and quality. If that is not done, the
16 isolated facility will be reexamined. It's interesting
17 that we have an environmental document that goes to great
18 lengths to continue to mention something that is not its
19 preferred alternative. There's no corresponding
20 commitment in CALFED to improve Delta quality and quantity
21 for agriculture or other local uses. We shouldn't fool
22 ourselves.

23 The program lives up -- the program gives lip
24 service to continuing the application of the Delta
25 Protection Act, but those statutes are universally ignored

1 by the state and federal agencies. They require that a
2 sufficient supply and quantity for the Delta be first
3 provided and that no exports -- or exports can only be of
4 surplus water to those needs. The program seeks to change
5 the way agriculture uses water based on the false
6 assumption that runoff from a field is wasted water.

7 On the San Joaquin system, virtually all of
8 the water is put to beneficial use. If you encourage the
9 people upstream to conserve water or to transfer water,
10 the net result is less for those downstreamers who have
11 depended on that flow. This year again CALFED has decided
12 that in order to protect export fisheries -- exports and
13 fisheries, one of the title barriers could not be
14 operated. The local riparian suffered for that decision.

15 It's hard to reconcile CALFED's recent
16 interest in the San Joaquin River given that CALFED
17 earlier in the year endorsed the San Joaquin River
18 agreement which plans on causing Vernalis water quality
19 violations in half of the years. We recommend that before
20 fundamental changes to this multibillion-dollar project
21 proceed that there be fundamental changes before we have
22 permanent harm to the Delta and California agriculture.
23 Thank you very much.

24 CHAIRMAN BODOVITZ: Thank you,
25 Mr. Herrick. Alex Hildebrand, Tom Zuckerman, Dante

1 Nomellini.

2 MR. HILDEBRAND: Thank you. I'm Alex
3 Hildebrand, a farmer and engineer and a director of the
4 South Delta Water Agency.

5 CALFED has a potential for doing a lot of good
6 in this state, but unfortunately the current plan doesn't
7 live up to that potential. As Mr. Herrick said, we
8 support the statements submitted by Assemblyman Machado
9 and County Supervisor Cabral. We also agree with the farm
10 bureau and others that CALFED's plan would seriously
11 impact most of California's agriculture and the future
12 production of food.

13 CALFED's South Delta Water Management Plan
14 would be a disaster for agriculture in the South Delta and
15 would impact almost all water-related interests in
16 San Joaquin County. The plan would substantially increase
17 the frequency with which export pumping would drawdown
18 water out of -- draw water out of South Delta channels so
19 crops cannot be irrigated.

20 It was not explained prior to this hearing
21 that the plan is to take water into the state forebay
22 during the low tide which it does not now do. That will
23 substantially increase the drawdown of water levels during
24 low tides. To prevent this, we must have all three of the
25 previously planned title barriers. These barriers can

1 capture and hold tidewater for use during the low tide.

2 CALFED's plans would limit the months that any
3 title barrier would be allowed to operate and would not
4 permit a barrier in Grantline Canal. High tide water
5 captured by the other two barriers would just run out
6 through the Grantline Canal and then dredging this
7 proposal would accelerate that runoff. Unless all three
8 title barriers are operated, there is a reverse flow in
9 the San Joaquin River south of Stockton which is a major
10 cause of the inadequate dissolved oxygen needed for fish.

11 The Central Valley Project imports up to a
12 million times of salt each year into the San Joaquin
13 watershed. Several hundred thousand tons of this salt
14 drains into the San Joaquin River. Unless we have all
15 three of the titled barriers, this salt in the river is
16 drawn to the CVP pump -- CVP pumps and reexported. This
17 reexport of salt increases the selenium of water exported
18 by the CVP including the water delivered to Tracy, for
19 example. It also results in more salt draining into the
20 river.

21 The New Melones Reservoir isn't required to
22 dilute that salt by releasing water that is needed for
23 other uses in San Joaquin County. With CALFED's new
24 operations plan, much of this river's salt would also be
25 drawn to the state aqueduct. There is no rigorous

1 scientific data to support the notion that the barriers
 2 are bad for fish. Furthermore, this misguided plan was
 3 adopted without any technical analysis of these concerns.
 4 CHAIRMAN BODOVITZ: Mr. Hildebrand, I'm
 5 sorry, but the time's gone. We look forward to receiving
 6 your written comments.
 7 MR. HILDEBRAND: You will receive it.
 8 CHAIRMAN BODOVITZ: Thank you, sir. Tom
 9 Zuckerman -- Tom Zuckerman, Dante Nomellini, Paul Stein,
 10 Supervisor Calaveras County.
 11 MR. ZUCKERMAN: Thank you, Mr. Bodovitz.
 12 I am co-counsel for the Central Delta Water Agency and
 13 first of all I'd like to say that I am pleased to see the
 14 turnout here both behind the desk and in the audience. I
 15 think it's an impressive group and I think you will be
 16 impressed by them as the evening goes on. I also would
 17 like to say that I'm proud of our local officials for
 18 being articulate and energetic on these issues, and I urge
 19 you to listen to them carefully because fortunately they
 20 have other people listening to them who are in important
 21 positions as well.
 22 Other people will talk to you about a number
 23 of subjects. I wanted to address just one which is less
 24 likely to get a lot of attention here tonight. I've
 25 had -- I've been fortunate to be involved in this process

1 from the beginning and maybe unfortunate. I recognized
 2 everybody in the video, so there must be something wrong.
 3 But looking at this from a broader
 4 perspective, we have reached the conclusion that you can't
 5 continue to subdivide a finite water supply and hope to
 6 solve all the problems that are before the CALFED
 7 process. We need to really work towards regional
 8 independence of water supply in this state and the most
 9 pressing needs with the fastest growing urban populations
 10 are in the south coastal basin. And we believe that a
 11 major effort needs to be invested into trying to make the
 12 south coastal area less dependent and hopefully regionally
 13 self-sufficient on our water supply.
 14 And this will require a lot of effort and a
 15 lot of money and a lot of science and a lot of patience,
 16 but that's where we think CALFED needs to direct more of
 17 its attention than it is right now; otherwise we're simply
 18 not ever going to be able to solve the problems of
 19 restoring the fisheries and our rivers and our resources
 20 and sustaining the agricultural production which is so
 21 important to this region, to the state, and to the nation.
 22 So please do that. Please redirect your
 23 attention towards that issue and let's see if we can't
 24 really develop a lasting, enduring, and fair solution to
 25 these problems. Thank you.

1 CHAIRMAN BODOVITZ: Thank you.
 2 Mr. Nomellini, Paul Stein, Kevin Kauffman.
 3 MR. NOMELELLINI: Thank you. Dante John
 4 Nomellini, I'm one of the attorneys for the Central Delta
 5 Water Agency. I think you heard the positive side of our
 6 comments from Mr. Zuckerman. My reading the documents has
 7 left me quite disappointed. I, of course, suffer from the
 8 bias that I've had before and expressed to you people, at
 9 least to Lester, on a number of occasions.
 10 It looks to me like the documents are overly
 11 oriented towards facilitating exports from the Delta, and
 12 there's also a continuing orientation towards the
 13 Peripheral Canal or an isolated facility. As I see it,
 14 the staffing the CALFED and the basic structure has
 15 originally conceived together with the strong influences
 16 of the water exporters, particularly the Metropolitan
 17 Water District of Southern California has reflected itself
 18 throughout your processes.
 19 I'm disappointed in that, yet we are
 20 continuing. We're dedicated to try and work some more
 21 with the process to see if we can't get a positive
 22 solution. Just in case it wasn't clear, we remain
 23 absolutely opposed to any isolated facility and will
 24 oppose the northern third of the canal as proposed in this
 25 stage. It is far too soon. There are no assurances that

1 are adequately reflected in the document and we can --
 2 we're concerned about the loss of the common pool in
 3 portions of the North Delta that would be associated with
 4 that.
 5 The Central Delta Water Agency has always been
 6 willing to work with channel improvements that work off of
 7 the concept of the common pool, which many of you have
 8 heard me before, is imbedded in the Delta Protection Act.
 9 It is absolutely clear in our mind that the promises in
 10 the law require that the exports of water be limited to
 11 surplus water. That's surplus the meeting the needs of
 12 the water users in the Delta and the areas of origin and
 13 the environmental needs. It's only the extra water that
 14 should go south.
 15 There's nowhere in this document that there's
 16 any commitment to that positioning and, in fact, in my
 17 opinion, the assurances are woefully inadequate. We think
 18 there's too much conversion of agricultural land. We're
 19 absolutely opposed to the use of Delta Islands as
 20 reservoirs since we have been unable to secure what we
 21 think is necessary mitigation for seepage in other
 22 impacts.
 23 We think your document overlooks the fact that
 24 the fisheries are suffering and that the probable result
 25 will be greater outflows from the Delta in order to

1 restore the fish, which means less water available for
2 export.
3 We'll submit written comments. I have some
4 copies of our preliminary comments at the desk. Thank you
5 very much.

6 CHAIRMAN BODOVITZ: Thank you. Mr. Stein
7 followed by Kevin Kauffman followed by Al Bonner.
8 Supervisor.

9 MR. STEIN: Good evening, everyone. Yes,
10 I'm chairman of the Calaveras County Board of Supervisors,
11 but actually I'm speaking to you this evening as -- in my
12 capacity as chair of Mountain County's Water Resources
13 Association. And I have a presentation that will probably
14 last more than three minutes so I will be making a written
15 comment submission as well.

16 Mountain County Water Resources is composed of
17 counties and public water districts and agencies located
18 in the Central Sierra and foothill regions. This includes
19 the region encompassed by the counties of Sierra, Nevada,
20 Yuba, Placer, El Dorado, Amador, Calaveras, Tuolumne and
21 Mariposa. Our members encompass a major portion of the
22 watersheds on the western slope of the Sierra Nevada
23 Mountains that are tributary to the Sacramento and the San
24 Joaquin Delta, including the watersheds of Yuba, Bear,
25 Cosumnes, Mokelumne, Calaveras, Stanislaus, Tuolumne, and

1 Merced Rivers.

2 Mountain County Water Resources is concerned
3 about the ultimate outcome of CALFED process and whether
4 it will yield any real benefits or cause any detriments to
5 our region. The Department of Water Resources bulletin
6 16098 has projected year 2020 water supply shortages for
7 our region which represent a significant part of our total
8 existing water uses. As chairman of the Mountain County
9 Water, it is my duty to continually express a fervent
10 interest in a storage component in whatever final solution
11 is reached by the CALFED process.

12 The counties of origin I speak for have an
13 imperative to develop water storage, to ensure a reliable
14 water supply for their rapidly growing populations.
15 Without a strong commitment from the CALFED process to
16 support the development of additional storage as part of
17 the ultimate plan, our region will be more vulnerable to
18 environmental interests that strongly and
19 perennially oppose the storage imperative.

20 Unfortunately, at least for now and during the
21 next seven years, it appears new water storage and
22 conveyance is a very small part of this final solution.
23 It seems illogical for California's water users to
24 collectively look to the Mountain County's region which
25 supply the substantial portion of waters flowing into the

1 Delta as the critical source to provide the necessary
2 flushing flows for the ecosystem without also considering
3 this region's immediate need to secure long-term water
4 availability.

5 Without storage capacity, reliable water
6 delivery cannot be achieved in our area. Mountain County
7 Water Resources participates jointly with other
8 stakeholders in the CALFED process as part of the Ag-Urban
9 Policy Group. Recently this group has supplied CALFED
10 with suggestions to meet upstream requirements which
11 include in an alia the following: Acceptable -- excuse
12 me, acceptable levels of funding for a rural development
13 fund which could bring about improvement for tributary
14 area conveyance and distribution facilities, local
15 participation in new storage and again that's -- that's
16 our montra, local participation and acquisition of small
17 hydro facilities, development of reclaimed water, and
18 planning grants to develop the best combination of
19 alternatives.

20 In addition, upstream interests are looking
21 for adequate funding, watershed restoration to protect
22 water quality and water supplies, funding for analysis of
23 alternatives to meet upstream area of origin needs, and
24 ways that minimize impacts to downstream interests in a
25 commitment that future Delta environmental leads will not

1 require additional upstream restrictions in our area.

2 CHAIRMAN BODOVITZ: Mr. Stein, I'm afraid
3 the time is gone. We'll look forward to the whole
4 statement.

5 MR. STEIN: All right. Thank you very
6 much.

7 CHAIRMAN BODOVITZ: Thank you, sir.
8 Kevin Kauffman -- Kevin Kauffman, Al Bonner, Virginia
9 Cahill.

10 MR. KAUFFMAN: Good evening. I am Kevin
11 Kauffman, the new general manager of the Stockton East
12 Water District. We are pleased you have selected Stockton
13 to begin the public hearing process. San Joaquin County
14 is vitally interested in the protection and restoration of
15 the Delta. This community is located in the Delta and
16 relies on the Delta for water for a variety of uses,
17 including agriculture and recreation.

18 The San Joaquin County is a billion-dollar
19 economy that could be destroyed by an ill-fated plan. At
20 the outset, Stockton East wants to voice its strong
21 support for the important comment made by Assemblyman
22 Machado at the beginning of this evening. In addition,
23 Stockton East supports the statements made earlier by
24 Supervisor Cabral of the San Joaquin County and the
25 statements made by other public agencies within the

1 county.

2 San Joaquin is unified in its position on
3 CALFED and our unified voice must be heard. The first
4 priority of CALFED must be to improve the San Joaquin
5 River water quality and water supply. CALFED should not
6 be funded in the first phase of its funding if it does not
7 ensure that the South Delta barriers are installed and
8 operated as needed for water quality, water levels, and
9 dissolved oxygen. CALFED should not be funded in its
10 first phase of funding if it does not ensure that the
11 dissolved oxygen problem in Stockton is resolved in
12 funding for the establishment and implementation of saline
13 standards on the entire stem the San Joaquin has provided.

14 CALFED's mission is to restore ecological
15 health to the Bay-Delta. A comprehensive solution to
16 San Joaquin River issues is an essential component in the
17 process. No plan to improve the Delta can succeed without
18 it. This comprehensive solution must be imbedded in
19 CALFED before CALFED and its components can proceed.
20 CALFED's own solution principles include equity, no
21 redirected impacts, and reduction of conflicts in the
22 system.

23 In order to be consistent with these
24 principles, any enhancement in water supply reliability
25 for Delta exporters must also include water supply

1 reliabilities for areas of origin, and improvements in
2 water quality for Delta exports must also include water
3 quality improvements for area of origins. The CALFED
4 concept of equity and balance must be adhered to at any
5 level, particularly since the plan is dealing with public
6 funds. The current drafts of the CALFED Water Quality
7 Program Plan does not make salinity a high priority and
8 does not propose timely actions for salinity reduction in
9 the San Joaquin River.

10 There is no need for another management plan
11 to reduce drainage and salt loads to San Joaquin River.
12 Numerous plans currently exist and CALFED must identify
13 and implement the best of these plans in the near term.
14 No plan to restore the Bay-Delta watershed can be achieved
15 without a solution for this longstanding problem.

16 CHAIRMAN BODOVITZ: Mr. --

17 MR. KAUFFMAN: CALFED has the opportunity
18 to provide real solutions by comprehensively addressing
19 the important problems in the Delta, including the
20 problems of water quality in the San Joaquin River and
21 South Delta or --

22 CHAIRMAN BODOVITZ: Mr. Kauffman, the
23 time is gone, I'm afraid.

24 MR. KAUFFMAN: -- or CALFED can be
25 another failed attempt to fix the problems of some at the

1 expense of others.

2 CHAIRMAN BODOVITZ: Okay, good. Thank
3 you. Al Bonner, Virginia Cahill, Mike Wade.

4 MR. BONNER: Good evening. I'm Al
5 Bonner, the president of Stockton East Water District.
6 Surface and groundwater storage must be
7 included in the final plan or CALFED will provide no
8 solution at all. While the CALFED water management study
9 proposed in the Phase II report has not yet been
10 completed, we are pleased that the groundwater recharge
11 project in Eastern San Joaquin County did include it for
12 consideration. Such a program is a critical element to
13 solving long-term water supply problems within San Joaquin
14 County.

15 The district is concerned with the ecosystem
16 restoration plan. The proposed action items on the
17 Stanislaus and Calaveras Rivers are not supported by
18 scientific data, and their inclusion is inconsistent with
19 CALFED's stated policies and goals. The Calaveras River
20 is Stockton East's main source of surface water. The
21 implementation of actions proposed in the ecosystem
22 restoration plan for the Calaveras River would devastate
23 the economy of San Joaquin County that's been -- being
24 implemented without evidence that the actions are
25 scientifically supported or needed.

1 The ecosystem plan identifies increased water
2 supply strategies for the Calaveras River in order to
3 develop supplemental water for fish. These proposed
4 strategies to increase water supply on the Calaveras River
5 have already been identified for increased supply to
6 San Joaquin County and many are being implemented by
7 Stockton East Water District.

8 Competition from CALFED for water for fish
9 restoration projects is inappropriate when that same water
10 is needed and being relied on for water supply to the
11 San Joaquin County residents. The Phase II report is
12 silent on area of origin. Those area of origin
13 protections must be met. CALFED must specifically
14 recognize and adhere to area of origin protections, and
15 areas of origin must have their needs identified and met
16 through CALFED planning and financing.

17 Finally, we are pleased that the finance plan
18 to storage -- for storage recognizes that certain
19 groundwater storage projects, public funding may be
20 appropriate to ensure implementation and local support.
21 However, the financing plan must clarify that for certain
22 area of origin projects, low interest loans and grants
23 should be made available for the storage program.

24 CHAIRMAN BODOVITZ: Mr. Bonner, I'm
25 afraid the time goes pretty quick. I'm sorry, sir.

1 MR. BONNER: Thank you.
 2 CHAIRMAN BODOVITZ: Virginia Cahill, Mike
 3 Wade, Rick Veldstra.
 4 MS. CAHILL: Good evening. I'm Virginia
 5 Cahill, Water Counsel for the City of Stockton.
 6 The city supports a program of South Delta
 7 barriers including an operable Head of Old River Barrier
 8 and all three agricultural barriers including the
 9 Grantline Canal Barrier. We support a bundle of actions
 10 to deal with water quality in the San Joaquin River. We
 11 support a program to deal with dissolved oxygen in the
 12 San Joaquin River near Stockton and we support groundwater
 13 recharge in the Eastern San Joaquin groundwater basin.
 14 We agree generally with the statement of
 15 Supervisor Cabral and in particular with his statement
 16 that CALFED must respect area of origin and Delta
 17 provision -- Delta protection provisions of California
 18 law. With regard to the Delta Program -- the Barrier
 19 Program, the Head of Old River Barrier should be permanent
 20 and operable and it should be operated, as Assemblyman
 21 Machado noted, for multiple purposes. Not just to
 22 facilitate fish migration, but also to maintain flows in
 23 the main stem of the San Joaquin River to improved
 24 dissolved oxygen, to maintain water depths in South Delta
 25 Channels, and to provide other water quality benefits.

1 The Head of Old River Barriers operations
 2 should be determined by a committee that includes
 3 representatives from local interests, and the City of
 4 Stockton would like to be on that committee. With regard
 5 to water quality and specifically salinity, we believe
 6 that CALFED must devise a comprehensive plan for
 7 improvement of water quality of the San Joaquin River.
 8 Your plan must assure that the salinity
 9 objective at Vernalis to protect agriculture is met and in
 10 addition, water quality objectives should be established
 11 on the main stem San Joaquin River in the entire 130-mile
 12 segment that is listed as impaired for salinity on the
 13 Clean Water Act Section 303(d) list. CALFED should
 14 support and fund the Region Water Quality Control Board as
 15 necessary in its adoption of a basin plan amendment for
 16 salinity and boron in that entire 130-mile stretch.
 17 With regard to dissolved oxygen in the
 18 San Joaquin River near Stockton, at least three measures:
 19 First, you should continue to support the
 20 development of a total maximum daily load for dissolved
 21 oxygen in the San Joaquin River, and we thank you for your
 22 recent grant to support that process.
 23 Secondly, the Head of Old River Barriers
 24 should include positive flow near Stockton to improve
 25 dissolved oxygen for one of the purposes for which it's

1 operated.
 2 And finally because the dissolved oxygen
 3 objective was established for the production of fish,
 4 particularly Chinook salmon, and because flows in the
 5 San Joaquin River are an element of meeting dissolved
 6 oxygen requirements.
 7 CALFED should assure funding for purchases of
 8 water necessary to meet the dissolved oxygen objectives
 9 similar to the purchases of water for meeting the spring
 10 pulse flow at Vernalis. Such purchases could be made
 11 using CVPIA restoration funds or CALFED funds and should
 12 be part of the CALFED Program. I have a longer version;
 13 I'll leave it here. Thank you.
 14 CHAIRMAN BODOVITZ: Thank you very much,
 15 Ms. Cahill. Mike Wade, Rick Veldstra, Philip Martin.
 16 MR. WADE: Thank you. My name is Mike
 17 Wade. I'm executive director of the California Farm Water
 18 Coalition.
 19 California's currently unable to supply enough
 20 water to meet the needs of all users. With an increase in
 21 population of 15 million people projected over the next 20
 22 years, it is clear that an urgent response is needed to
 23 head off future water supply uncertainties. The CALFED
 24 Plan, at least for now, seems to be one of water
 25 transfers, conservation, and the idling of productive

1 farmland rather than one that relies on new storage
 2 projects that will actually provide additional water
 3 supplies to a thirsty California.
 4 Simply rearranging water supplies to meet
 5 current need does nothing to solve the problem of a
 6 long-term water supply shortage. Conservation and land
 7 fallowing usually do not provide increased water outside
 8 of their specific geographic areas. This shift in
 9 resources does nothing to support the businesses that
 10 stand to lose precious water supplies. This plan would
 11 create economic ruin for rural communities who depend on
 12 irrigated agriculture as their base industry.
 13 CALFED needs to address the need for
 14 additional water storage now, not seven years from now
 15 when water supplies are at a severely critical point. Any
 16 plans designed to meet the future needs of California
 17 environmental, urban, and agricultural users must include
 18 new storage facilities. Delaying the planning and
 19 construction of these necessary projects only pushes the
 20 real problem of inadequate water supply further down the
 21 road.
 22 CALFED needs to play a stronger role -- a
 23 stronger leadership role in the disposition of management
 24 of the state's water resources. Federal agencies have
 25 demonstrated in the past, such as this year during the

1 Delta smelt pump crisis, that they're willing to bypass
2 local resource managers and ignore the harm associated
3 with undependable water supply in order to accommodate
4 single species management practices.

5 People have been left out of the CALFED
6 equation. Real lives will be negatively impacted if steps
7 aren't taken now to provide adequate water supply now and
8 in the future. A study conducted in the community of
9 Mendota that centered on the drought from 1987 to 1992
10 concluded that the entire community was adversely impacted
11 as a result of reduced water supplies to agriculture. The
12 ripple effect, if you will, goes far beyond the fence at
13 the edge of the farm when agricultural land is taken out
14 of production.

15 Those losses include businesses and
16 individuals that depend on agriculture for their
17 livelihood as well as the loss of vital tax revenues in
18 already financially strapped communities, not just the
19 producers of hundreds of food fiber and nursery crops that
20 sustain fully 10 percent of California jobs. CALFED needs
21 to provide a solution that takes into account all of the
22 people of California. Thank you.

23 CHAIRMAN BODOVITZ: Thank you, Mr. Wade.
24 Rick Veldstra, then Philip Martin, and then since we've
25 all been sitting for a long time on a hot evening and so

1 PR are only a smoke screen to divert attention away from
2 this fact. All of the feel-good environmental projects to
3 clean the water for the fish and restore the environment
4 are smoke screens. They are all guaranteed -- they are
5 all but -- they are all but to guaranteed fit to -- excuse
6 me, I'll start over.

7 They are all but guaranteed to fail because
8 their failure is necessary to trigger CALFED's ultimate
9 goal of building the Peripheral Canal. This deception
10 must not be allowed to go unchallenged. In the name of
11 saving the fish and the environment, CALFED is ultimately
12 planning to turn the Delta into a cesspool, an
13 environmental wasteland devoid of any family farms.

14 Another deception CALFED -- of CALFED is the
15 fish flows released from New Melones are for the fish and
16 Delta water quality. In reality, it is a new water source
17 for LA. When the fish flow starts, the pumps turn on. I
18 challenge CALFED to document what percentage of the water
19 released for fish ever makes it to the San Francisco Bay.

20 The cost to all of California is too high.
21 The cost to our state's economy are jobs, livelihoods.
22 The cost to our state's tax payers are millions and
23 millions of wasted dollars. The cost to San Joaquin
24 County are Delta farms and our water rights. The cost to
25 the Delta is the loss of its very life blood, its water.

1 our reporter can have a minute to stretch her hands, we'll
2 take a break after these two speakers, Mr. Veldstra and
3 Mr. Martin.

4 MR. VELDSTRA: I'm a farmer in
5 San Joaquin County. I'm here to protest the CALFED Plan;
6 it will be an economic, environmental, and agricultural
7 disaster. The best way to illustrate this is to compare
8 the CALFED Plan to the California Air Resources CARBs
9 Action regarding MTBE in gasoline. My conclusion: MTBE
10 is to gasoline as CALFED is to water.

11 CARB created an energy and environmental
12 crisis in California by its mandates regarding MTBE.
13 CALFED is a similar poison pill that will be force-fed to
14 Delta farmers. CARB sacrificed clean groundwater in their
15 experiment to clean the air. CALFED sacrifices 900,000
16 acres of farmland between 1.9 and 4.5 million acre feet of
17 agriculture water and a free-flowing Delta for their
18 experiment to export clean water to Los Angeles. The
19 hidden agenda of CARB was to show that they could get
20 things done. In their case, clean the air at any cost.

21 The cost to California is 15 to 75 cents more
22 per gallon for unleaded and substantial damage to our
23 drinking and groundwater from MTBE contamination. The
24 hidden agenda of CALFED is to build the isolated facility
25 at any cost. All of the public's meetings, brochures, and

1 The CALFED Plan is a dangerous poison pill.
2 The whole CALFED process should be scrapped. We need a
3 process that will protect our water rights, protect the
4 family farm. Thank you for your kind consideration. Rick
5 Veldstra, third-generation farmer.

6 CHAIRMAN BODOVITZ: Thank you,
7 Mr. Veldstra. We'll hear from Philip Martin, take a short
8 break, and I mean short. And after the break, the first
9 three speakers will be Heather Robinson, Anita Moran
10 (phonetic) and D.A. Tuma. So Mr. Martin, you have the
11 last word for this round.

12 MR. MARTIN: Thank you. I agree and
13 support with positions submitted by Farm Bureau and others
14 who have spoken before me this evening. In addition, I
15 would like to make a few points.

16 First regarding water quality in Old River,
17 and it's very important to those of us who farm the Tracy
18 area. The documents that I have read do not seem to take
19 into account the growth of the city of Tracy which is
20 protected -- excuse me, projected to triple in growth in
21 the next 20 years, the new town of Mountain House and new
22 developments such as Gold Rush City which all will
23 contribute to the degradation of water in Old River. My
24 question is in light of this new development, how will
25 water quality in Old River be improved or even maintained

1 at its current levels?

2 Second, I'll repeat an earlier comment of
3 mine. I am strongly opposed to Peripheral Canal or
4 isolated channel in any shape or name. The common pool
5 must be maintained because once Southern California gets
6 the Peripheral Canal, they have no reason to care about
7 the Delta. Specifically my comment is that any
8 through-Delta plan is being set up for failure by leaving
9 open the door for a Peripheral Canal in seven years.

10 Furthermore, looking at your displays over
11 there, I see that the problem area is isolated here to the
12 Delta. Why is not southern California part of problem?
13 It seems like the demands placed on the Delta by exports
14 is the root of the problems in the Delta. And I voice my
15 support for comments made by Tom Zuckerman earlier
16 regarding a regional independence of water splice. Thank
17 you.

18 CHAIRMAN BODOVITZ: Thank you very
19 much, Mr. Martin. You've all been very patient. Let's
20 take a ten-minute break. We'll resume at 8:40, and we'll
21 resume at 8:40 sharp, ten minutes from now.

22 (Recess taken.)

23 CHAIRMAN BODOVITZ: Okay. Are we ready?
24 I'd like to resume the hearing. Before doing so, I'd like
25 to show you a watch that has been found here. Look on

1 your wrists and see if anyone has lost a woman's Seiko
2 watch.

3 A VOICE: Seiko?

4 CHAIRMAN BODOVITZ: Yes.

5 A VOICE: It's mine.

6 CHAIRMAN BODOVITZ: Okay. It's here.

7 I'd like also to point out the two other people who are
8 involved in the policy work on the policy committee of the
9 CALFED Bay-Delta Program are with us, Luanna Kieger
10 (phonetic) of the Natural Resources Conservation Service
11 at the far end of the table and Steve Schaffer (phonetic)
12 of the Department of Food and Agriculture. Steve, I don't
13 know where you are. Would you stand up? Okay. Thank you
14 both for joining us.

15 Okay. Let me repeat that if you wish to speak
16 tonight and haven't yet filled out one of these yellow
17 cards, please do so. They are on the table back by the
18 door. And if all of you who are carrying the side
19 conversations wouldn't mind doing it out -- that outside,
20 we'd like to hear from the rest of the people who have
21 signed up tonight beginning with Heather Robinson, D.A.
22 Tuma, and Stuart Mast. Ms. Robinson.

23 MS. ROBINSON: Yes. Hello, my name is
24 Heather Robinson. I'm a fourth-generation farmer on
25 Roberts Island, that's the Delta, San Joaquin County. To

1 begin with, I want to reiterate because you have heard
2 from me before, my adamant opposition to any type of
3 isolated conveyance facility, Peripheral Canal, or portion
4 thereof.

5 Personally, Mr. Snow, at the beginning of this
6 presentation this evening Mr. Philip Martin, who is one of
7 our neighbors out there in the Delta, asked you if the
8 Peripheral Canal was off the table and you stated that you
9 believed it was. A few moments later in your own
10 presentation, the video presentation that I believe
11 everyone here saw, the Peripheral Canal was there as one
12 of the later options.

13 It is also in your implementation plan on page
14 23. That document states that the isolated facility will
15 be built if habitat and water quality goals are not met.
16 This decision is to be made by two panels in the years '06
17 to '07. The goals are lofty for these habitat and water
18 quality programs, but the solutions are very few. It is
19 very clear to me that this program has set its first stage
20 up for failure so that the isolated facility will become
21 our only alternative.

22 Your concept of "Let's try this and if it
23 doesn't work then we'll reconsider it" will definitely use
24 up our six to seven years and it will then be used as an
25 excuse to build an isolated facility. Instead of trying

1 to make water deficient areas more self-sufficient or
2 creating new sources of water, CALFED is attempting to
3 merely redirect water supplies which are already
4 definitely insufficient. Given the rate at which
5 California's population is expanding, this solution seems
6 painfully shortsighted.

7 Agriculture has diligently tried to support
8 and/or tolerate at times CALFED's plans because we truly
9 wanted to believe you when you stated that we would all
10 get better together and that there would be no significant
11 redirected impacts. But now with the hundreds of
12 thousands of acres that are due to be taken out of
13 production and the million acres of feet that are due to
14 be redirected from agriculture, the only solution that I
15 see or the only impact that I see is that CALFED is going
16 to need to leave room on the endangered species list for
17 one more addition. It's going to be that of the
18 California Delta farmer. Thank you very much.

19 CHAIRMAN BODOVITZ: Mr. Tuma followed by
20 Stuart Mast followed by Bill Pauli.

21 MR. TUMA: Good evening. Thank you for
22 this opportunity to speak to you. I just want you to get
23 a good look at me. You may hear of me in the future. I
24 intend -- attend several of your meetings. The reason
25 being I'm trying to get the news out that a lot of the

1 information you're working on is really bogus. The reason
2 why I say that is because I'm probably in the best
3 position of anyone in the whole state to tell you that.

4 I came here in '89 to take a job as a
5 contracting officer's authorized technical representative
6 on the contracts that the federal government gave to
7 various research entities, UC Davis, UC Riverside and
8 Lawrence Berkeley Laboratory. We're working at
9 Kesterson. And after a year I went to my boss and I said,
10 "You know, this is a hoax." And I think I'm the only
11 fella in the whole state that has the balls to get up here
12 and tell you that and tell the whole state that, and I
13 thought it's really scary.

14 So I'm so scared I'm running for congress. I
15 kid you not. You say, "Boy, he's a pretty strange looking
16 fella." So I'm going to read off my card, what it says
17 right here. It says "Libertarian party, WWW.SACTO,
18 S-A-C-T-O, .COM/LPS." And with that you can get on the
19 Internet and you can read for hours about how much crap
20 has been going down here.

21 CHAIRMAN BODOVITZ: Thank you. Stuart
22 Mast, Bill Pauli, Wayne Marcus.

23 MR. MAST: I'm Stuart Mast, the Calaveras
24 County Farm Bureau president. I'm here tonight to express
25 the concerns of many of my Sierra foothill neighbors. We

1 see no way to meet the demands upon California's water
2 without the need for much more storage.

3 As a fifth-generation California farmer, we
4 need to look at least 50 years down the road at the
5 increase in population, the need for water quality, and
6 the increase of agriculture's needs. The Sierra foothills
7 are an area of origin and the rights of those areas of
8 origin must be met as well as additional storage. Thank
9 you.

10 CHAIRMAN BODOVITZ: Thank you, sir. Bill
11 Pauli, Wayne Marcus, Bill Jennings.

12 MR. PAULI: Good evening. My name's Bill
13 Pauli. I'm president of California Farm Bureau and I'm a
14 rancher up in Mendocino County.

15 The stated purpose of CALFED is coordinating a
16 plan to assure reliable high-quality water for
17 California's people, which include family farmers, while
18 addressing the Bay-Delta environmental concerns. It's
19 gone way beyond that in terms of land, water, and
20 acquisitions.

21 We need a plan for our future that the
22 expected population growth in our state and the need for
23 additional water supplies, additional water storage, water
24 quality, and water reliability. We need a balanced and
25 accountable approach, not a lopsided approach that

1 primarily deals with massive land and water acquisitions
2 by state and federal agencies.

3 CALFED Programs would affect virtually all
4 areas of the state. It takes water away from areas of
5 origin and the people in those communities through
6 transfers and the future idling of productive farmland and
7 ignores the needs of local communities as they grow and
8 develop economically. What are the benefits to farm --
9 family farmers and farm workers? The document states that
10 the conversion of farmland is irreversible and
11 irretrievable. You tell me, what happened to balance?
12 What happened to getting better together?

13 Under CALFED, family farmers and farm workers
14 are terminated and expendable with no guarantees that the
15 species or the salmon will improve. CALFED has missed the
16 mark. It attempts to undermine existing water rights. It
17 does not support additional off-stream storage, has a
18 hallow -- a hollow promise for groundwater storage, does
19 not provide mitigation for lost ag land as required by
20 California law, restrains local economies through lost
21 water and land, proposes levee setbacks as a solution for
22 flood control, ignores -- absolutely ignores introduced
23 species and their impact on salmon, and overlooks the
24 impact of commercial and supports fishing the salmon
25 population. CALFED fails to provide for our future and

1 our farms in California. Thank you.

2 CHAIRMAN BODOVITZ: Wayne Marcus, Bill
3 Jennings, Robin Kirk.

4 MR. MARCUS: Good evening. My name is
5 Wayne Marcus. I'm general manager of the Oakdale
6 Irrigation District, Oakdale, California, Stanislaus
7 County. We serve ranchers and land owners that encompass
8 approximately 72,000 acres of very productive agricultural
9 land. I would like to present OID's general concerns as
10 it relates to CALFED.

11 Of paramount concern we feel the CALFED must
12 secure the water rights of agriculture for the local
13 economies. We believe the level of reasonableness has to
14 prevail when balancing environmental issues versus ag
15 issues. Human welfare cannot be sacrificed in favor of
16 the select species of fish. We don't want to create
17 another artificial drought as recently evidenced by the
18 issue with the Delta smelt. Realizing this to be a
19 priority, the necessity for additional storage -- water
20 storage is essential to the success of any solution for
21 California.

22 Additionally, OID has grave concerns as to the
23 logistics and implementation criteria for the
24 establishment of the environmental water account and water
25 house. We feel that OID as a stake holder should be

1 involved in details regarding this and other issues that
2 affect the OID landowners. The stake holder process is
3 imperative to the consensus building that is so
4 desperately needed.

5 Another important point that we would like
6 bring up is due to the sheer volume of the CALFED document
7 it makes it very difficult for a small irrigation district
8 such as ours to adequately review and evaluate all aspects
9 of the documents and respond to the documents in a time
10 frame as prescribed. Another vital component that OID
11 would hope to be derived from CALFED is that the money
12 appropriated to CALFED is spent wisely on bricks and
13 mortar and not allowed to be spent on bureaucratic process
14 of smoke and mirrors.

15 In closing, we support many of the previous
16 comments as they relate to protecting ag water and using
17 sound, scientific data with peer review and stake holder
18 review before processes and programs are implemented.
19 Again we would like to thank the CALFED for this
20 opportunity to present OID's comments for consideration
21 and hope that these comments, these public hearing
22 comments will be seriously considered and not a mere
23 formality within a regulatory process. Thank you.

24 CHAIRMAN BODOVITZ: Thank you. Bill
25 Jennings, Robin Kirk, Rick Martin.

1 MR. JENNINGS: Bill Jennings representing
2 Delta Keeper, San Francisco BayKeeper, the California
3 Sportfishing Protection Alliance and the Committee to Save
4 the Mokelumne.

5 I can't -- I can't resist observing that OID
6 and SSGID are attempting to send an additional 80,000-acre
7 feet of Stanislaus water to out of basin urban uses.
8 Every previous effort to replumb the Delta has made
9 conditions worse. And we're concerned that CALFED
10 promises to be no exception.

11 The EIR's water quality component is an
12 under-funded stepchild. Its deficiencies are astonishing
13 given that improved water quality is crucial to all
14 program components. The rush to build projects before we
15 have an adequate understanding the biological complexity
16 of this estuary or the fate, transport and effects of
17 contaminants is a recipe for failure.

18 Many millions have already been ill-spent for
19 habitat in areas with the highest concentrations of methyl
20 mercury. The Delta smelt model has serious problems.
21 There's a major dispute over the fish X2 model. The
22 implications of sending increased selenium loads into the
23 eutrophic areas of the central Delta and the consequences
24 of remobilizing channel sediment mercury have not been
25 analyzed.

1 Despite endemic toxicity, comprehensive
2 efforts to assess population level effects are lacking.
3 There's no baseline inventory of lower trophic
4 populations, especially in the small tributaries that are
5 the engines of system productivity. The EIR proposes
6 poorly conceived projects that will likely fail and
7 subsequently be used to justify a Peripheral Canal. In
8 anticipation, construction of the first leg is already
9 recommended.

10 The EIR relies upon water demand data that
11 even DWR has disavowed. It discounts meaningful water
12 conservation that could translate into export reductions,
13 it fails to quantify the amount of water needed for
14 restoration, it rejects meaningful land retirement, and it
15 flees from any notion that water should be fair-market
16 priced.

17 After three decades of Porter-Cologne and the
18 Clean Water Act, every significant waterbody in the state
19 is listed as contaminated and incapable of supporting
20 beneficial uses. The entire Bay and Delta are identified
21 as toxic hot spots, yet the EIR shies away from the single
22 most effective measure to improve water quality:
23 aggressive enforcement of existing laws. Reliance on
24 voluntary measures to reduce pollutant loading is puzzling
25 given the historical failures of voluntary programs unless

1 driven by regulatory certainty.

2 In closing, CALFED's success depends upon
3 independent, well-funded science, meaningful water
4 conservation, reduced exports, enforcement of water
5 quality statutes and sufficient, clean resource water.
6 These conspicuous, missing efforts have transformed the
7 EIR from a blueprint for restoration into a road map to
8 failure. Thank you.

9 We'll be submitting extensive comments and I
10 would hope -- I would hope that the response to comments
11 is more sufficient than the present ones.

12 CHAIRMAN BODOVITZ: Thank you,
13 Mr. Jennings. Robin Kirk, Rick Martin, a second card for
14 Virginia Cahill, who I believe has already spoken, Bill
15 Harrison. Robin Kirk.

16 MS. KIRK: Good evening. My name is
17 Robin Kirk with DeltaKeeper. I want to speak specifically
18 to the water quality issue because I work in it
19 literally.

20 I'm on the Delta waterways daily monitoring,
21 sampling, and testing water. The toxicity is constant
22 throughout our system whether it be from storm water
23 runoff or ag runoff or industrial or dairy pollution.
24 Bioassays on our samples that we take to UC Davis aquatic
25 tox lab indicate mortality to fish, zooplankton, and algae

1 at one time or another and more often than not.
 2 We are all guilty of polluting the Delta. It
 3 is our responsibility to stop it. Water quality standards
 4 must be established and enforced if we are to have a
 5 chance at restoring water in which we could swim and fish
 6 once again. As we tackle the ominous task to slow and
 7 eventually control the incoming load of pollutants from
 8 their various sources, the constant we need is sufficient,
 9 clean water in the Delta system.

10 All tributaries to the Bay-Delta Estuary
 11 should be required to supply a fair and equitable share of
 12 their water to the Delta's water supply. There must be
 13 firm guarantees of more fresh water flows through the
 14 Delta. It is unconscionable to consider any method which
 15 deprives our Delta of this much needed life-restoring
 16 water. Thank you.

17 CHAIRMAN BODOVITZ: Thank you. Let me
 18 again remind you if anyone knows the owner of this watch
 19 which has been -- was found during the break, let me know.
 20 Rick Martin, Bill Harrison, Peter Boyce.

21 MR. MARTIN: Yes, my name is Rick Martin.
 22 I'm the general manager of South San Joaquin Irrigation
 23 District. Tonight I'm representing San Joaquin River
 24 Group Authority, which is composed of Modesto Irrigation
 25 District, Turlock Irrigation District, South San Joaquin,

1 Oakdale, Merced Irrigation Districts, Brian Water User
 2 Authority and the San Joaquin River Exchange Authority.

3 The San Joaquin River Group embraces the CALFED
 4 solution principles that are contained in the preface to
 5 the environmental document that include equity, no
 6 redirected impacts, and reduction in conflicts in the
 7 system. In addition, enhancement to water supply
 8 reliability to all is extremely important to our group and
 9 we believe the future of California's economic stability.
 10 You have heard and you will no doubt hear more comments
 11 concerning the EIR/EIS, and we share most, if not all, the
 12 comments expressed.

13 We specifically would like to see projects
 14 that provide benefit to water quality and water supply
 15 reliability. We support the comments of Stockton East
 16 Water District and strongly -- and others, and strongly
 17 support the installation of an operable tide barrier at
 18 Grant Line Canal, a resolution to the dissolved oxygen
 19 problem in Stockton, and funding to mitigate the impacts
 20 of salinity throughout the entire San Joaquin River basin
 21 with no land retirement. We believe that these projects
 22 should be a high priority in the first phase of CALFED's
 23 program.

24 If CALFED is unable to carry out the projects
 25 that are in compliance with these missions, then perhaps

1 the entire program should be reevaluated. Thank you.

2 CHAIRMAN BODOVITZ: Thank you,
 3 Mr. Martin. Bill Harrison, Peter Boyce, John McCaull.

4 MR. HARRISON: Hi, I'm Bill Harrison.
 5 I'm general manager for the Del Puerto Water District, a
 6 federal export water contractor on the Delta Mendota Canal
 7 serving some 50,000 acres of highly diversified
 8 agricultural lands.

9 Before I get into my comments, I would like to
 10 ask you to imagine my comfort level in being in Stockton
 11 today as an export water contractor, which brings me to my
 12 first and probably my most important point. And that is
 13 the failure of these public hearings to locate themselves
 14 anywhere near an export water service contracting agency.
 15 Stockton is about as close as you come. The next closest
 16 is Visalia.

17 The area that is most severely impacted by
 18 regulations curtailing water supplies in the Delta is in
 19 between those two places significantly. I would urge you
 20 to try and squeeze in another hearing. Modesto, Santa
 21 Nella, Los Banos, Fresno, any of those areas you'll hear
 22 an entirely different set of comments than you've heard
 23 here tonight. So please, put that in your thinking caps
 24 and see if you can accomplish that on behalf of a large
 25 group of impacted water users in the state.

1 I'm here tonight to also express my support
 2 for the stated principles and objectives of the CALFED
 3 Program and to express a number of serious concerns I have
 4 with my read of your documentation today. While I believe
 5 those principles are sound, it's become painfully clear
 6 that separate CALFED agencies do not always abide by
 7 them. A number of times tonight we've heard that the
 8 program is intended to be comprehensive. By that I
 9 understand it to mean that there should be no outliers
 10 (sic) that adversely affect water users through unilateral
 11 actions such as those taken under CVPIA, ESA and perhaps
 12 other state and federal statutes.

13 I also understand that the principles include
 14 the understanding that all risks and benefits are to be
 15 shared. There's a "share the gain and share the pain"
 16 guru (sic) that should be part of your thinking in making
 17 all of your decisions. Also feel that the benefits must
 18 be phased for all those parties and that no party should
 19 benefit at the expense of another party. This means to me
 20 that the parties must be willing to prioritize their needs
 21 because no one can get everything they want.

22 Along those lines, my read of the
 23 documentation shows that there -- the program lacks a real
 24 commitment to meeting California's water supply needs and
 25 water reliability needs contrary to some of the things

1 we've heard tonight, and those deficiencies need to be
2 corrected before this program can succeed. Delta
3 dependent water users have experienced a loss of over a
4 million acre feet of water in the 1990s, and California's
5 population continues to increase. It's critical that we
6 begin to recover those supplies and begin providing more.
7 CALFED must set water supply goals to
8 significantly increase water supplies during the first
9 seven years of this program and aggressively pursue that
10 realization.

11 CHAIRMAN BODOVITZ: Mr. Harrison, you've
12 come a long way, but I'm sorry, the three minutes are up.

13 MR. HARRISON: I didn't think I'd take
14 that long. Thank you for listening.

15 CHAIRMAN BODOVITZ: Thank you, sir.
16 Peter Boyce, John McCaull, John Miller.

17 MR. BOYCE: Evening. I'm Albert Boyce,
18 Jr., better known as Pete. I don't have a title, I'm just
19 a businessman and a farmer down the Manteca way.

20 There's been a lot of good comments made
21 tonight and I think you know what they are and I fully
22 support them. In reading through some of the materials
23 and comments on CALFED and on this program, I've noticed
24 the words "irreversible," "irretrievable," and
25 "unavoidable." In my opinion, no business plan, no farm

1 mountain areas, and the southern part of the San Joaquin
2 Valley. Thank you very much.

3 CHAIRMAN BODOVITZ: John McCaull, John
4 Miller, Margaret Williams.

5 MR. MCCAULL: Thank you. My name is John
6 McCaull. I'm the state legislative director for the
7 National Audubon Society in California. I live in
8 Windsor; I work mostly in Sacramento.

9 I'm wearing two buttons tonight instead of two
10 hats. The -- perhaps it's not just for feeling safe in
11 the room, it's because there really is something going on
12 here in the Delta that I'm not sure we can replicate in
13 other parts of state, but that is there are some common
14 interests and some common themes. You heard some of them
15 tonight mainly from the agricultural sector, but I'd like
16 to echo them from the environmental sector.

17 The main focus of how I want to spend my few
18 minutes is to plagiarize the Central Delta Water Agency
19 comments that have been handed out and distributed. I
20 think they're excellent and I wouldn't say that we could
21 just stick our letterhead on there and we'd be done with
22 it. It's a little more complicated than that.

23 There are some points made in their document
24 that I think the environmental community should embrace
25 and repeat at your hearings throughout the state. This

1 plan, nor can the CALFED Plan be successful if it's based
2 upon those parameters or that philosophy.

3 Secondly, I'd like to encourage you to listen
4 to the people. You know, there's a lot more knowledge and
5 a lot more practicality out here than most people give us
6 credit for. Unfortunately, my one experience was very
7 sad. That was during flood of '97 when a meeting was
8 called amongst the people down in south county to discuss
9 fixing the break of Paren (phonetic) Road. The farmers
10 said immediately, "Fix it and here's how we suggest you do
11 it."

12 The corps of engineers said, "We'll have it
13 fixed in five days." Two and a half weeks later it still
14 wasn't fixed. Amongst others I lost 90 acres of almonds.
15 Corps didn't listen.

16 Additional sources of water: California's
17 going to continue to grow both population-wise,
18 industry-wise, in new land and farming. We're going to
19 have to find new sources of water. It's inevitable.
20 That, in my opinion, has to be part of this plan. One of
21 my other concerns is that this plans says it's a piecemeal
22 plan. Let's take these things one step at a time.

23 I don't see how you can solve the problems
24 here in the Delta and what you're attempting to do
25 initially without considering Southern California, the

1 idea of regional self-sufficiency, we're pretty far down
2 the road away from that. But as growth continues,
3 especially in Southern California, we need to stress that
4 every chance we can get.

5 Growth and other parts of the state can't be
6 born on the backs of Delta farmers. It's just not
7 acceptable. And the point that is made in the Delta Water
8 Agency's comments is really that no increase in export
9 pumping rates can occur until we solve existing problems
10 in the Delta with water quality, etcetera. It's easy --
11 you should have expected me to say first we oppose the
12 Peripheral Canal; we oppose construction of any segment of
13 the Peripheral Canal.

14 I think that the most challenging issue for us
15 right now, and I didn't really -- it didn't really dawn on
16 me in our organization until recently, is that we have got
17 to have -- look hard at the restoration plan that is being
18 proposed for the Delta. Is it appropriate to purchase,
19 retire, acquire easements on the Delta Islands for marsh
20 restoration, habitat restoration? Should that be the main
21 place for that to occur? I don't know.

22 And our focus has always been Suisun Marsh,
23 and I would like to open that one up in our community.
24 And I am not comfortable with the idea of large amounts of
25 farmland going out of production in the Delta. I don't

1 think that's what the Delta necessarily needs as a
 2 first -- first area of solution.
 3 The second main area where we have commonality
 4 is limitation on water transfers. Mr. Harris's
 5 comments -- I would like to sign onto his oral comments
 6 before you and also, again, the written comments reflected
 7 in the Water Agency's document. The main issue for us,
 8 the button rather than the sticker, is water
 9 conservation. We don't -- we do not believe that the
 10 CALFED documents have adequate accounting and modeling of
 11 water conservation benefits, especially in the Southern
 12 California. The opportunities for water conservation
 13 reclamation, grey water treatment, and development of dual
 14 water systems from -- I guess I'm all right.
 15 CHAIRMAN BODOVITZ: Mr. McCaull, I'm
 16 afraid -- you're doing great but the time's about up.
 17 MR. MCCAULL: That's it. Thank you.
 18 CHAIRMAN BODOVITZ: Thank you. John
 19 Miller, Margaret Williams, Lynne Loy. John Miller going
 20 once. John Miller? Okay. We'll try again later on.
 21 Margaret Williams? Margaret Williams, Lynne Loy, Robert
 22 Clark.
 23 MS. WILLIAMS: Hi, my name is Margaret
 24 Williams. I'm secretary of the Local Audubon Society but
 25 I'm mostly here as a -- both as a representative of that

1 organization and as a private citizen. And I'll be
 2 mercifully brief because I know it's getting late.
 3 I'm also a nurse, and I know in my own
 4 background that preventative medicine and proactive
 5 medicine is much easier on the patient and it's much
 6 cheaper than reactive crisis intervention type. By the
 7 same token, I think conservation, better utilization of
 8 the water that we have is better for the environment.
 9 It's much, much cheaper than the construction of more dams
 10 and more canals.
 11 I won't go into everything else I was going to
 12 say because it's pretty well been covered by all the
 13 previous speakers, but I would just add my two cents worth
 14 as it relates to the Peripheral Canal. I would urge
 15 CALFED to take it completely off the blueprint and forget
 16 about it because once that little piece is built, the door
 17 is wide open to send it to California -- to Southern
 18 California. It was not a good idea over 20 years ago and
 19 unlike fine wine, it hasn't improved with age. Thank you.
 20 CHAIRMAN BODOVITZ: Lynne Loy, Robert
 21 Clark, Jim Roath (phonetic).
 22 MS. LOY: My name is Lynne Loy, and I
 23 live in Stockton. And gentlemen, I believe you are
 24 kidding us and perhaps even yourselves. Why else would
 25 you insist that the ailing Bay-Delta ecosystem can be

1 improved by even larger diversions, utilizing new canals
 2 and off-stream storage sites? You are proposing to fill
 3 five new storage facilities with six million acre feet of
 4 water from the dying Delta.
 5 Hey, you also plan to deliver one million acre
 6 feet of Delta water to the Los Lacaros (phonetic)
 7 Reservoir in Contra Costa County. I mean, wow, you must
 8 be magicians or miracle workers. You are promising to
 9 replenish Delta watersheds and the bay estuaries by
 10 draining them. You are proposing to spend up to two
 11 billion dollars to raise the Shasta Dam and Sacramento
 12 River and in the process drown numerous resorts and
 13 recreational facilities upstream. You intend to store
 14 almost eight million acre feet of Sacramento's water in
 15 three new storage facilities.
 16 Hey, you don't like water unless you've
 17 trapped it. You are proposing to raise the Friant Dam to
 18 store at least 720,000 acre feet of additional water from
 19 that already depleted and the degraded San Joaquin River.
 20 And as a matter of fact, you are proposing to rob our
 21 rivers to satisfy inflated water needs of California's
 22 future population. Now, who do you think will want to
 23 live here if the air is polluted, the river is dry, and
 24 the road's clogged around the clock? I mean, how about
 25 getting serious about water conservation.

1 The average daily water consumption in
 2 Los Angeles is 155 gallons per person; in Sacramento it's
 3 271. Now, guess which city has metered water. I think we
 4 can and we must learn to treasure water. Instead of more
 5 dams and reservoirs, we can chose to maximize efficient
 6 use of water. We can decide to stop using our waterways
 7 and the Bay-Delta as dumping grounds for toxics and animal
 8 and manufacturing wastes. I mean, the CALFED Bay-Delta
 9 Plan is a great idea, but let us do it right this time.
 10 Gentlemen, remove the concrete barriers
 11 from your brains and allow our rivers, creeks, and streams
 12 to flow. Their moving waters will cleanse, nourish and
 13 revitalize the irreplaceable Bay-Delta. Thank you.
 14 CHAIRMAN BODOVITZ: Robert Clark, Jim
 15 Roath and Loren Ohm. Robert Clark? Okay. We'll call the
 16 people who don't respond at the end. Jim Roath?
 17 Mr. Roath here? Loren Ohm? I believe he talked before
 18 unless he filled -- no, here he is. Okay. Loren Ohm
 19 followed by Michael Rasmussen followed by John of the
 20 Tuolumne County Farm Bureau. Pardon, I'm not -- I
 21 can't read his writing and I'm not sure I pronounced it
 22 correctly. Mr. Ohm.
 23 MR. OHM: Thank you. Hello, my name is
 24 Loren Ohm. I'm a Delta farmer located on Roberts Island
 25 and president of the San Joaquin Farm Bureau Federation.

1 CALFED will have a negative impact on
2 San Joaquin County agriculture if this cooperative effect
3 by state and federal bureaucracies continues down its
4 current path. CALFED must return to its basic mission,
5 coordinate a plan to assure reliable high-quality water
6 for California's people while addressing Bay-Delta
7 environmental problems.

8 In the beginning, all agencies and interested
9 groups were to come to the table in good faith to get
10 better together and create a plan that would benefit all
11 parties involved with CALFED. This environmental impact
12 report today shows no benefit to agriculture and, in fact,
13 every impact that has to deal with agriculture is
14 negative. This must be changed in order for agriculture
15 to survive in San Joaquin County.

16 CALFED is aware of the growing need for urban
17 water supply and urban water quality as the population
18 grows. Agriculture, which is the number one industry in
19 San Joaquin County, has never considered -- or was never
20 considered for an increasing need of water to produce food
21 and crops as California prepares to grow and the world
22 prepares to support another billion people. In fact,
23 under this planning, agriculture is expected to feed more
24 and more people with less and less water.
25 California's water storage system needs to be

1 expanded to allow additional yielding storage that will
2 increase water availability to all uses. Environmental
3 use -- uses of water in California already take 46 percent
4 of all stored surface water. How much more must CALFED
5 steal from agriculture?

6 Agriculture will continue to be threatened if
7 water that could be used for agriculture is diverted for
8 the experimentation of fish studies and salt intrusion.
9 This plan must be brought into line with common sense. We
10 need more water in California, more storage north and
11 south of the Delta. CALFED must protect the future of
12 agriculture and not retire or purchase productive
13 agricultural land to provide food for the entire world.

14 The economic loss to San Joaquin County, the
15 San Joaquin Valley, and the State of California's number
16 one industry would be considered a significant impact to
17 all parties in the state. CALFED must minimize losses to
18 agriculture. Thank you.

19 CHAIRMAN BODOVITZ: Thank you, Mr. Ohm.
20 All right. Michael Rasmussen followed by the gentleman
21 from Tuolumne County Farm Bureau and Bob Burick
22 (phonetic).

23 MR. RASMUSSEN: Good evening, gentlemen.
24 My name is Michael Rasmussen. I represent the California
25 Striped Bass Association. That was a very fine

1 presentation you guys put on over there. I really enjoyed
2 that, but all that up there was theoretic, okay? It's not
3 proven in any way, shape, or form except on paper. So
4 let's get down to the facts.

5 The facts are that a dozen years -- 30 years
6 ago or so you guys built a canal that shipped water down
7 to Los Angeles. You have stripped this Delta area of the
8 waterways so bad that the fish do not come back upstream
9 and spawn anymore, okay? We've been out -- for example,
10 we've had a seal in the Stockton harbor, we've had
11 Humphrey the wayback whale all due to stripping this
12 waterway clean to where it's brought nothing but selenium
13 in here.

14 And then we're still pumping this water down
15 there, and then after it gets down there it goes through a
16 desalinization plant, which I don't understand. If
17 there's a desalinization plant that it's going through,
18 there's a whole ocean that you could do that in down
19 there. And we've got dams up here that dam up water. I'm
20 sure you've got -- here's our corps of engineers. I'm
21 sure they can build dams down there. You guys have got
22 snowcaps and stuff that drain, you know, water and
23 resources and so on and so forth.

24 You would kill two birds with one stone. You
25 put people to work by building these things; not only

1 that, after that you would put people to work by keeping
2 them running. The thing of it is, is I want to know how
3 long you are going to keep stripping our waterways up here
4 to where we have no recreation whatsoever. None. No
5 fishing, no hunting, nothing. Absolutely nothing. Thank
6 you.

7 CHAIRMAN BODOVITZ: Thank you, sir.
8 Followed by Bob Burick and Rogene Reynolds.

9 MR. VIGLIENZONI: Yeah, my name is John
10 Viglienzoni from -- I'm vice-president of the Tuolumne
11 County Farm Bureau, and I fully concur -- we fully concur
12 with Calaveras County Supervisor Paul Stein's comments and
13 that of the Farm Bureau president of Calaveras County.

14 Walt Whitman is quoted as saying that, "Genius
15 is not founded or elected nor are bureaucrats nor in
16 people of high stature. It's found most in common
17 people." I guess what he meant by that is that the more
18 important we make ourselves, the more full of ourselves we
19 become, the dumber we get.

20 It doesn't take a genius to understand that
21 the act of taking up 900,000 acres of land out of
22 production and redirecting seven million acre feet of
23 water cannot help but to have an economic impact on
24 individuals as well as the state and even the nation. It
25 doesn't take a genius to understand that agricultural,

1 urban, and environmental water needs are increasingly
2 competitive and will get worse unless we make a commitment
3 ourselves to increase the storage capacity of the system.

4 It doesn't take a genius to understand that
5 some of these very problems are exacerbated by the very
6 governmental bodies that are in charge over the resource.
7 It doesn't take a genius to understand that the political
8 process -- that this is a political process with various
9 special interests pulling, tugging, and, yes, even
10 tainting the system.

11 Saint Augustine -- Saint Augustine, after
12 observing politics of his day, said, "Virtue is found in
13 the middle." CALFED must return to the basic mission
14 coordinating a plan to assure a reliable, high-quality
15 water for Californian's people -- California's people
16 while addressing Bay-Delta environmental problems.

17 The shocking size of CALFED's proposed
18 solution area is of great concern to the foothill
19 counties. The duplication of existing efforts show
20 dramatically how CALFED has overreached. It has produced
21 an amazingly complicated and long document which still
22 manages to omit key details and leaves many questions
23 unanswered. Common people understand that genius is not
24 found in complication, but sometimes it's found in
25 simplicity. Thank you.

1 CHAIRMAN BODOVITZ: Thank you, sir. Bob
2 Burick, Rogene Reynolds, Gerald Neuburger. Bob Burick?
3 Rogene Reynolds, okay, followed by Gerald Neuburger and
4 Paul Wenger.

5 If there are any of you who have not signed up
6 who wish to do so, let me know. There are about seven or
7 eight more speakers and I'm inclined to keep going without
8 a recess and see if we can finish. If there are a number
9 more who wish to speak, then we'll obviously need to take
10 another pause. Let's keep going, but if any of you who
11 have not signed up wish to speak, let me know.
12 Ms. Reynolds.

13 MS. REYNOLDS: Thank you. I'm Rogene
14 Reynolds. I live at 4444 West Undine Road in Stockton,
15 which is on the south end of Roberts Island. I have the
16 choice of being diplomatic or being a little bit political
17 or venting, and I have chosen to vent tonight.
18 I'm quoting from the EIR page 1-5, the solution
19 principles: "To succeed the plan must be equitable, be
20 implementable and pose no significant redirected
21 impacts." Further quotes, however, from the EIR:
22 "Estimate of land area affected by the Ecosystem
23 Restoration Program: the Delta region 111,600 acres, the
24 San Joaquin River region 4300 acres." Equitable?

25 Page 7-1. "The ERP would convert 112,000

1 acres of important Delta farmland although some of these
2 ag uses may be shifted to the Central Valley or
3 elsewhere. The conversion is potentially a significant,
4 unavoidable, adverse impact on ag land use." Isn't that a
5 redirected impact?

6 Page 7.1. "The isolated conveyance facility
7 would tend to increase salinity in south and central Delta
8 areas. This decrease in water quality would negatively
9 affect agricultural water users in these areas of the
10 Delta potentially reducing crop yields and crop
11 flexibility." Equitable?

12 Page 7.1-31. "If public lands are not
13 available for restoration efforts -- focusing restoration
14 efforts on acquiring land that can meet ecosystem
15 restoration goals from willing sellers where at least part
16 of the reason to sell is an economic hardship." Sounds to
17 me like you've created the economic hardship. "Effects on
18 agriculture in the other State Water Project and Central
19 Valley Project service areas are expected to be small."

20 I'm quoting from your EIR. "Substantial
21 conversion of agricultural land in the Delta region could
22 shift some production to desert areas in Southern
23 California such as the Imperial Valley." Equitable? No
24 redirected impacts? I'm going to shorten this a little
25 bit, but there you have it.

1 CALFED's solution to the water needs of the
2 future of this great state of California is to step
3 backward in San Joaquin County history 130 years and
4 recreate a swamp. Too bad if Delta farmers have to go out
5 of business. Too bad if San Joaquin County loses
6 one-third of its tax base. I've been accused of not
7 having the view from 30,000 feet. Well, the CALFED view
8 is quite clear, and what you don't see in that view are
9 the people of San Joaquin County, their productivity, and
10 their future.

11 I object to every single aspect of this plan
12 which places the burden of 30 years of CVP and SWP
13 environmental damage on the backs of Delta farmers. To
14 paraphrase, it's the diversions. Stupid. I say
15 emphatically that before one acre of Delta land is
16 converted to swamp, before we sacrifice one dollar of our
17 bounty and our heritage, CALFED should be redirected or
18 killed.

19 And if the waters of a common Delta pool are
20 not good enough for the metropolitan water district in
21 Southern California, then they can spend 30 years and
22 their share of CALFED's \$10 billion to hire some real
23 scientists and desalt the unlimited waters of the Pacific
24 Ocean.

25 CHAIRMAN BODOVITZ: Ms. Reynolds, the

1 time's gone.

2 MS. REYNOLDS: I have about 30 seconds,

3 please. This plan was conceived in political greed and

4 has been produced in political arrogance. Unless it's

5 rewritten to focus on a constitution for all of California

6 including the farming Delta, it is doomed to failure.

7 CHAIRMAN BODOVITZ: Gerald --

8 MR. NEUBURGER: My name is Jerry --

9 CHAIRMAN BODOVITZ: Let me call the other

10 two --

11 MR. NEUBURGER: Okay.

12 CHAIRMAN BODOVITZ: -- to follow, if I

13 may. Paul Wenger, Vicky Lee (phonetic). Go ahead.

14 MR. NEUBURGER: My name is Jerry

15 Neuburger. I'm past president of the California

16 Federation of Fly Fishers and the Delta Fly Fishers. I

17 also wear two badges out of conservation and agriculture.

18 I first would like to say if CALFED managed

19 the blood bank, the donors would be dead. If CALFED

20 manages our Delta, the Delta will be dead. You can only

21 suck so much water -- so much blood out of a body and so

22 much water out of the Delta. CALFED is proposing

23 something that's supposed to look like a restored Delta,

24 the Delta of 1825. In fact, what they're giving us a

25 weed-infested, tule, cattail swamp. That is nothing like

1 the Delta of 1825.

2 The Delta of 1825 had a watershed that was a

3 healthy watershed that flooded it in the wintertime and

4 drained it in the summer. What we have now is something

5 that will never get flooded unless we have another 1997

6 and there's too much water. So we're not going to get an

7 1825 Delta. What we really want is a pre-1962 Delta. And

8 pre-1962 we had a healthy salmon fishery, we had a striped

9 bass fishery that was five times the size it is now, and

10 we had an agriculture that used in this Delta alone more

11 water than -- much more water than they use now.

12 They have conserved as much water as they

13 possibly can. Now you want to take 200,000 acres of

14 ground away and turn it into, like I said, a cattailed and

15 tule swamp. It's -- I find that hard to believe. And in

16 its substitute we're going to have a channelized water

17 conveyance system and its designed to bypass the swamp and

18 ship all the waters out.

19 In listening to your tape I heard these

20 phrases: "strategic control of water flow," "linkage

21 of -- linkage of elevated water storage facilities,"

22 "robust centralized management," "ecosystem restoration,"

23 "protecting Bay-Delta water quality," "fisheries

24 restoration," "aggressive source control," "support

25 natural process," "maximize habitat opportunities,"

1 "establish broad-based partnerships," "benefits of all

2 user sectors," "mix and management tools," but I didn't

3 hear anymore commitment for more Delta water or at least

4 to retain what we have here.

5 If this was -- you know, if this videotape is

6 designed to show to the general public and they're going

7 to see people -- like the people of the Nature Conservancy

8 are going to say, "Jeez, the nature people are behind

9 this." Well, I didn't hear the Audubon Society people say

10 "Hey, we want to turn the Delta into a swamp. We want to

11 turn -- we want to take 200,000 acres of farmland out of

12 production."

13 I didn't hear the Striped Bass people say, "We

14 want to take 200,000 acres of farmland out of

15 production." You didn't hear the Fly Fishers say and the

16 Northern California Counsel of Fly Fishers say, "We want

17 to take 200,000 acres of agriculture out of production."

18 CHAIRMAN BODOVITZ: Mr. Neuburger --

19 MR. NEUBURGER: The only people I've

20 heard say that is CALFED. Thank you.

21 CHAIRMAN BODOVITZ: Thank you. Paul

22 Wenger, followed by Vicky Lee then Martha Mallery.

23 MR. WENGER: Good evening. My name is

24 Paul Wenger. I'm from Modesto, California. I'm a

25 third-generation farmer there farming almonds and

1 walnuts. I also represent tonight the California Farm

2 Bureau Federation as second vice-president and chairman of

3 the Water Advisory Committee.

4 I will not try to duplicate what President

5 Pauli said, he did so eloquently, about the Farm Bureau's

6 view and agriculture's view of the CALFED process, but

7 maybe more from a personal note, you know. When the whole

8 CALFED process started, it seemed like you had the

9 enviable job of being able to settle some of the problems

10 that are facing this state, and that's of water.

11 When you have a coalition of federal

12 government and state government come together, those are

13 the only people that can really solve the water wars in

14 this state. And as Secretary Babbitt said, "The water

15 wars are over." And yet throughout the CALFED process,

16 the only thing we've seen is that the water wars will

17 continue into the very near future and beyond.

18 I was able to sit in on a couple of the

19 hearings when -- or on one of the hearings when Secretary

20 Babbitt was in Sacramento. It was kind of interesting as

21 we went through some of the different things about the

22 health of the Delta and about water storage, water

23 transfers. And it was so quickly done as, "Okay. We've

24 reached agreement on this, we've reached agreement on

25 this," and you had people -- the environmental community

1 had the water districts, you had the agriculturalists and
2 all those in between and yet there was no unanimity on
3 anything.

4 And yet it's, "Okay. We've reached agreement,
5 let's go on. Let's get lunch, and we've got to be out of
6 here by 4:00 o'clock." And so I left that meeting
7 thinking 30, 40, 50 years from now all of us that have
8 been involved in this whole process, can we -- will we
9 want to sit into a room and raise our hand when we see
10 water shortages in this state and -- that affect the
11 environment, that affect our business and affect our --
12 the people's ability to have good access to good, clean
13 drinking water?

14 Will we want to raise our hands and say that
15 we were there at the table and had the opportunity to meet
16 the needs of today? Lucky we had forefathers that during
17 the Great Depression had the audacity to get together and
18 put up some reservoirs that saved us in a six-year drought
19 to be able to supply this entire state during a six-year
20 drought.

21 I just wonder if a six-year drought happens in
22 another 30 or 40 years, if the residents at that time will
23 be able to say the same thing of those of us that are
24 involved in this. It comes down to one very simple thing:
25 we need more storage. If we have more storage, we will

1 all get healthy and we will all get well together. Thank
2 you.

3 CHAIRMAN BODOVITZ: Vicki Lee, Martha
4 Mallory followed by K.T. Shum, if I'm reading that right,
5 and Robert Laubengayer.

6 MS. MALLERY: Good evening.

7 CHAIRMAN BODOVITZ: Ms. Mallory.

8 MS. MALLERY: I'm Martha Mallory. I'm a
9 volunteer at a local regional park near I-5 and Eight Mile
10 Road, that's north of Stockton.

11 As a member of California Native Plant Society
12 we're working to put in a native plant garden out there.
13 For many years we had to water the garden with groundwater
14 that was subject to saltwater intrusion. Needless to say,
15 we grew a scruffy group of plants. By way of contrast,
16 when you put in irrigation in the Mokelumne, the plants
17 thrived.

18 And on a personal note, I'm a homeowner who
19 lives three miles from the park. I have a well and I'm
20 very concerned that one day I'll turn on the tap and find
21 the water undrinkable. In the CALFED response to comment
22 it has been stated, and I quote, "Flow requirements to
23 repel saltwater and maintain salinity levels in the Delta
24 channels are presently ordained by the State Water
25 Resources Control Board; therefore, depending on what

1 is -- what alternative is implemented, it may be that
2 modified Delta protection standards will be required but
3 protection of the beneficial uses of the water will
4 certainly continue to be the objective of the water
5 quality program."

6 I question whether the word "objective" is
7 strong enough. I would hope that for CALFED to make
8 strong assurances that Mammoth could supply water to flush
9 the salinity and other pollutants through the Delta will
10 be maintained. Thank you.

11 CHAIRMAN BODOVITZ: Thank you.
12 K.T. Shum, Robert Laubengayer and Bill Koster. Mr. Shum.
13 MR. SHUM: Good evening. My name is
14 K.T. Shum representing Contra Costa Water District. The
15 district will be submitting detailed written comments and
16 for tonight I'd like to make a comment on the water
17 quality program that's of great importance to the urban
18 agencies.

19 The Contra Costa Water District and other
20 urban agencies strongly support the proposed adoption of
21 the long-term drinking water quality goals. However, at
22 the same time CALFED needs to develop and adopt
23 intermediate milestones for the water quality program for
24 drinking water supplies. An example is the milestones
25 proposed by the California Urban Water Agencies in the

1 letter to CALFED earlier.

2 CALFED should adopt these intermediate
3 milestones and plan a stage of actions with these
4 milestones on equal priority as other ecosystem
5 restoration goals; for example, in the reoperation of the
6 reservoirs in the upstream releases such as those
7 considered in the underwater account. The district will
8 be making other comments in later sections. Thank you.

9 CHAIRMAN BODOVITZ: Thank you, sir.
10 Mr. Laubengayer, Bill Koster, Patrick McCarty (phonetic).
11 Go.

12 MR. LAUBENGAYER: My name is Robert
13 Laubengayer. I'm present president of the Delta Fly
14 Fishers, a local conservation and fishing organization of
15 about 120 members.

16 I have to tell you that I'm joining with one
17 other person starting out maybe not being too diplomatic.
18 I resent the fact that a report that fills -- completely
19 fills a cabinet drawer in a file cabinet was provided so
20 close to the time of this hearing that it's impossible to
21 have taken the time to really read and understand that
22 report sufficiently to make really good comments at this
23 time. I would have thought that you could have provided
24 it and given some time for review before the hearing.

25 I have to tell you that I have a level of

1 uncomfort with your report and with the statements
2 therein. One hundred and fifty to one hundred and
3 twenty-five years ago we heard that it wouldn't hurt
4 anything to do the mining that was done in this state,
5 that hydraulicizing the riverbeds wouldn't cause no damage,
6 and we know that wasn't true. And then about 80 to 100
7 years ago we began damming the high mountains with the
8 idea of providing power for the state and this would not
9 do any damage; we know that's not true.

10 In the last 30 to 60 years we have dammed
11 every stream about 20 miles up from its confluence with
12 the Sacramento or the San Joaquin River, and again we were
13 told this would do no damage. But we know today that
14 we've lost somewhere between 80 to 90 percent of the
15 salmon populations that use those streams as part of their
16 breeding grounds because we've done away with the
17 riverbeds that provided the nurseries for something that
18 provided -- would be providing today a source of protein
19 necessary in this word of reduced fisheries in return for
20 some increase in agricultural production with unregulated
21 use of that.

22 I'm not here as an advocate whatsoever about
23 not providing water to our agricultural use needs or even
24 providing excess water for use in Southern California as
25 drinking water or for other production in that area, but

1 the comment is excess water. And we have a bay and a
2 Delta that is so poisoned that we tell people, "Do not eat
3 fish caught in San Francisco Bay; it will kill you." And
4 I don't see that truly addressed here.

5 I see, if anything, a report that includes the
6 first leg of what in this area is viewed as Peripheral
7 Canal, the first one-third of it to be built as a portion
8 of this.

9 CHAIRMAN BODOVITZ: I'm sorry, sir, the
10 three minutes are gone. We'll look forward to getting
11 your full comments if you wish to submit them in writing.
12 Bill Koster, Patrick McCarty, Peter Ohm.

13 MR. KOSTER: Good evening. My name is
14 Bill Koster, fourth-generation farmer in the Tracy area.
15 I am a CVP water user; I live the San Joaquin County.

16 Some of you in this room may call me a gross
17 polluter as DMV calls it. CVP waters users take great
18 strides for the -- for your information for some of you
19 people in the Delta -- taking great strides to reduce the
20 salinity and the contaminants coming down the San Joaquin
21 River in the past few years.

22 I could concur with most the comments made
23 earlier that the only way the San Joaquin River and the
24 Delta watershed is going to get better is by more water
25 storage even though I am an exporter and, you know, the

1 Peripheral Canal did cross my mind as a good reliable
2 water source. However, without more storage, where would
3 this water come from? The water would have to come -- if
4 there's no new storage would have to come from retirement
5 ag ground or some other place, but mostly from retirement
6 ag ground.

7 So I don't agree with the Peripheral Canal. I
8 do agree with more water storage. I do not agree with
9 some of the parts of the film clip there where the water
10 wars are over; they're just beginning. What is going on
11 here is you're pitting farmer against farmer, and I think
12 you know it. You know, you've got southern farmers down
13 here that want a reliable water source. Heck, we're at 75
14 percent water supply right now. We're cut back right now
15 when the reservoirs are full. Does that make sense? No,
16 it doesn't, but we're paying through the nose.

17 Everybody on the CVP is paying through the
18 nose and have been for a number of years. I started
19 farming in 1974. I was paying \$3 an acre foot for water,
20 now I'm paying 40. You know, my crop -- you know, that's
21 cost of production goes way high. And so, you know, the
22 folks in the Delta I concur with -- you know, you don't
23 want any mismanagement here, but, you know, let's put the
24 buck where the buck stops. You're getting free water
25 here; we're paying through the nose already.

1 I don't agree with the Peripheral Canal. I
2 don't think the Delta is hurt all that much, but I do
3 agree that CALFED is aiming to pit Northern California
4 farming interests against Southern California farming
5 interests and the war has just started. Thank you very
6 much.

7 CHAIRMAN BODOVITZ: Thank you. Patrick
8 McCarty -- okay. Peter Ohm, Clifford Koster. Those are
9 the last two cards I have. If anyone else wishes to
10 speak, last call for signing a card. Peter Ohm.

11 MR. OHM: I'm a fourth-generation farmer
12 in the Delta, too. And seemed to me like the first
13 meeting I went to the CALFED, well, they said they were
14 going to make releases into the San Joaquin for fish and
15 that, and then they didn't. They started out doing it,
16 but now it's just -- there's no flow at all.

17 I don't know what you've been doing, but it
18 just doesn't appear like -- and you talk about the
19 oxygenization problem around the Stockton area. They've
20 been polluting the San Joaquin for years. What are you
21 doing to clean that up? They made a new sewer. They did
22 a bunch of updating on their sewer plant and that. What's
23 the problem? It's still the same thing. It's been going
24 on for twenty years or more, so it's just hard to believe
25 that you talk about it but you -- they don't seem to do

1 anything.

2 And as far as deepening over by the pumps,

3 well, that's -- that certainly doesn't look like it's only

4 going to help getting the water to the pumps. Anyway, I

5 had a brochure, and I showed you in Lodi, put out by the

6 LA Metropolitan Water District. What you guys been saying

7 about quality water is what that brochure said that LA

8 needed. Everything goes right down to exporting more

9 water, you know. It just seems like it's all kind of

10 geared to that but let's not make it too conspicuous.

11 And I don't -- I think you need to release a

12 lot more water in the San Joaquin and I don't think you've

13 been doing that, so thank you.

14 CHAIRMAN BODOVITZ: Clifford Koster.

15 MR. KOSTER: My name is Clifford Koster.

16 I'm a farmer; I'm the third-generation farmer. My son,

17 I'm proud of what he had in the way of comments. The

18 older generation kind of lost some of the snort in the

19 process.

20 But I've farmed with exported waters since

21 '51, '52 when CVP first opened their doors for business,

22 and we were dry farming for 75 years prior to that time.

23 And, of course, using irrigation water was an innovation.

24 I mean, you had to learn the ropes. I'm still learning

25 the ropes.

1 This morning I chaired a board meeting of the

2 Del Puerto Water District. This afternoon I'm out with a

3 garden rake doing water conservation, that means I'm

4 leading up to something. But when you conserve water with

5 a garden rake, that means you go down in a furrow that's

6 got hay in the furrow and you rake the hay out of the

7 furrow so the water will go because it didn't have enough

8 water to put the push on the head of the water in the

9 furrow. That's the same thing with the storage situation

10 with CALFED.

11 You don't have enough raw material to deal

12 with in the way of stored water to implement whatever you

13 come across within the CALFED solution. Why, you're kind

14 of kidding yourself. Common sense says we've got to have

15 water storage. If we're talking 15 million people coming

16 in, they're not bringing water with them. They're either

17 going to take some of our water or we're going to have to

18 put a general bond issue -- general bond issue and build

19 storage for the benefit of all. And that's part of the

20 analogy that I was talking about the garden rake and the

21 furrow.

22 The other thing, I endorse the detailed

23 comments of our manager, Bill Harrison, who was -- we

24 detailed him the job of putting together a response to

25 CALFED here and I was just doing the bullet work. The

1 second bullet work is asking for your consideration and

2 move the hearing, say, from Visalia to Los Banos. You

3 remember a year or so ago when you had hearings, why we

4 had -- you had a couple hearings here in Stockton, and I

5 think because of the popular requests, why we had one down

6 in Los Banos and it was pretty well attended, too.

7 You're going to get a whole different room

8 full of comments than what you've got in this one here.

9 And that's -- I think that's fair play. That's what we've

10 always gone for is fair play.

11 CHAIRMAN BODOVITZ: Thank you,

12 Mr. Koster. Those are all the cards of people who had

13 signed up to speak. If there's anyone else who wishes to

14 sign a card and speak, we can stay a bit.

15 A VOICE: I have a question. Will you

16 answer any questions?

17 CHAIRMAN BODOVITZ: The purpose of the

18 hearing and the hearings all over the state is to hear

19 from you. All of the comments that are made at this and

20 other hearings will be responded to by CALFED in its final

21 documents. Some of the staff people may be able to stay a

22 bit after the hearing and you may get informal answers

23 from them.

24 I think they would take the position that they

25 want to consider all the comments that are made, but

1 you're free to talk to them as the hearings end. In other

2 words, tonight there will not be an effort to try to

3 respond to all the comments. Some of you, I know, raised

4 questions with the CALFED staff people before the hearings

5 began.

6 Thank you all for coming. It's been a very

7 informative evening.

8 (Whereupon the proceedings concluded at 10:00 p.m.)

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1 STATE OF CALIFORNIA }
2 COUNTY OF SAN JOAQUIN } ss.

3 I, KIMBERLY M. PARADISO, Certified
4 Shorthand Reporter of the State of California, do hereby
5 Certify:

6 That on the 18th day of August, 1999,
7 at the hour of 7:30 p.m., I took down in shorthand notes
8 the said proceedings had at the time hereinbefore stated;
9 that I thereafter transcribed my shorthand notes of such
10 proceedings by computer-aided transcription, the above and
11 foregoing being a full, true and correct transcript of all
12 proceedings had.

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